

Notice of Determination

To:
Office of Planning and Research
[CEQA Submit](#)

From:
Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, CA, 92123
Contact: Jennifer Blackhall
Jennifer.Blackhall@wildlife.ca.gov



Lead Agency
City of Orange
300 East Chapman Avenue
Orange, CA, 92866
Contact: Robert Garcia
RGarcia@cityoforange.org

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2017031020

Project Title: Mabury Tentative Tract Map No. 18163 (Lake or Streambed Alteration Agreement No. EPIMS-ORA-20255-R5)

Project Location (Orange County): The project is located at Santiago Creek, in the County of Orange, State of California; Latitude 33.817907, Longitude -117.789528; USGS 7.5 minute Orange quadrangle, within an unincorporated section of the Santiago de Santa Ana Land grant, Township 4 South, Range 9 West; Assessor's Parcel Number 370-011-21. The project site is bordered by East Mabury Avenue to the North and Santiago Creek to the south.

Project Description: The California Department of Fish and Wildlife (CDFW) has executed Lake and Streambed Alteration Agreement number EPIMS-ORA-20255-R5, pursuant to section 1602 of the Fish and Game Code to the project Applicant, Milan REI X, LLC.

The project is limited to the development of 10.9 acres for a single-family residential community. A 24-inch storm drain along and within the northern bank of Santiago Creek, on the north-eastern corner of the project site, will be installed as infrastructure for the residential community. The outlet will consist of a concrete headwall followed by about 68 cubic yards of riprap. In order to allow equipment to access the southern portion of the site, a temporary earthen crossing will span Santiago Creek for the approximately 3 years until construction is complete. The crossing will sit 12 feet above the Santiago Creek bed, span 20 feet wide, be constructed out of approximately 1,668 cubic yards of fill, and will have a reinforced concrete pipe 36 inches in diameter placed underneath the bridge to facilitate Creek flows. The crossing will be removed after construction

This is to advise that CDFW, acting as a Responsible Agency, approved the project described above on October 20, 2022 and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project **will** have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. CDFW considered the environmental impact report prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures **were** made a condition of CDFW's approval of the project.
4. A Mitigation Reporting or Monitoring Plan **was** adopted by CDFW for this project.
5. A Statement of Overriding Considerations **was not** adopted by CDFW for this project.
6. Findings **were** made by CDFW pursuant to California Code of Regulations section 15091.

The Final EIR prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record of project approval as a Responsible Agency is available at CDFW's regional office.

Signature: David Mayer Date: 10/25/2022

David Mayer, Environmental Program Manager

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Date Received for filing at OPR: _____